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T H E
T R I A L

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O F

William Morgan,

FOR THE

Murder of Miss MARY JONES,

Daughter of WILLIAM JONES, Esq; of *Nass*,
in the County of GLOCESTER,

AT THE

ASSIZES held at GLOCESTER,

On Wednesday the 11th of March, 1772;

BEFORE THE

Hon. Sir GEORGE NARES, Knt.

GLOCESTER, PRINTED BY R. RAIKES;

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T R I A L

OF

GEORGE WARRIS



IN FAVOR OF

GEORGE WARRIS, Esq. of Glasgow,
in the County of Glasgow.

AT THE

COURT OF SESSIONS

the 17th day of March 1772

PRESENT

GEORGE WARRIS, Esq.

ADVOCATE GENERAL

AND

WARRIS, Esq. of Glasgow.

1772

Printed by J. Macdonald, Glasgow.

T H E
T R I A L
O F
William Morgan,
F O R T H E
M U R D E R of Miss J O N E S.

UPON the Commission of Oyer and Terminer and General Gaol delivery, holden for the county of Gloucester, on Friday the 13th of March, before the Hon. Sir GEORGE NARES, Knight, one of the Justices of his Majesty's Court of Common Pleas.

William Morgan being put to the bar was arraigned upon an indictment found against him by the Grand Jury of this county, for the Wilful Murder of Mary Jones. The prisoner at first said he was guilty; but being apprised by the Judge of the ill consequences of pleading guilty, and being again called upon to plead, he pleaded not guilty; whereupon the following Jurors were sworn:

Wm. Harris,	Samuel Keyte,
Stephen Mabblerly,	Edward Wills,
James Curtis,	James Chapman,
William Drew,	Richard Gardiner,
James Hiatt,	Richard Hook,
James Allen,	John Hathaway.

The indictment was then opened as follows:

Glocestershire,

The Jurors for our Sovereign Lord the King upon their oath present, that William Morgan, late of the parish of Lidney, in the county of Gloucester, labourer, not having the fear of God before his eyes, and being moved and seduced by the instigation of the devil, on the 18th day of July, in the eleventh year of the reign of our sovereign Lord George the Third King of Great-Britain, &c. with force and arms at the parish aforesaid, in

the county aforesaid, in and upon one Mary Jones, spinster, in the peace of God and our said Lord the King then and there being, feloniously, wilfully, and of his malice aforethought, did make an assault; and that the said William Morgan with a large wooden stake of the value of one penny, which he the said William Morgan then and there had and held in both his hands, her the said Mary Jones in and upon the back part of the head of the said Mary Jones, then and there feloniously, wilfully, and of his malice aforethought, did strike and beat, giving to the said Mary Jones one mortal wound, of which said mortal wound she the said Mary Jones then and there instantly died; and so the Jurors aforesaid upon their oath aforesaid do say, that the said William Morgan her the said Mary Jones in manner and form aforesaid feloniously, wilfully, and of his malice aforethought, did kill and murder against the peace of our said Lord the King, his crown, and dignity.

Council for the Prosecution.

My Lord, and Gentlemen of the Jury,

I am of counsel in this case in support of this prosecution, which is carried on for the attainment of public justice, and with no other view than that by the execution of the law the only atonement which remains may be made by the prisoner at the bar for the offence which he has committed. In stating the circumstances of this unhappy affair, it is far from my intention to inflame your passions, or to excite in your minds a degree of horror which might induce you to form a too sudden and hasty judgement of the prisoner's guilt. Heinous as

the

the offence is with which he is charged, he is entitled to the most deliberate and dispassionate trial. The case, gentlemen, I thank God, stands without example in the annals of this and (I should hope) of any other country, when the circumstances of cruelty, savageness, and barbarity, which attend it, are considered.

It is necessary for me to state to you generally the several material circumstances of this unhappy transaction.

The deceased lady, Miss Mary Jones, was one of the daughters of a very respectable gentleman, Mr. Jones, and resided with her father at his house at Nafs, in this county. In July last Miss Harriet Gough happening to be upon a visit at Mr. Jones's on the 18th of that month, the young ladies went to take a walk as far as Lidney. As they walked up Lidney street it was observed, that the prisoner at the bar was, together with some other persons, at the place where people play at fives; he was seen to look at the ladies with some degree of attention. It seems, this 18th day of July was the day of the Monmouthshire election, and the young ladies had a desire to learn the event of an affair which had made a considerable noise in the country. With this view they called upon two or three different persons;---the last person they called upon was one Davis, a barber;---at his house they continued 'till very near ten o'clock. About this time they set out on their return to Nafs; and within a quarter of an hour afterwards were observed, by one Mary Goodman, returning the same way that they had gone when the prisoner had remarked them. Night being come on, and it being later than the ladies were accustomed to stay out, the family became uneasy, and were considerably alarmed. Two maids had set out on the road towards Lidney, in hopes of meeting the ladies. The butler, John Edwards, was then called, and directed to take a light and go in search of them. He followed these directions, and soon after met the maid-servants, and desired them to go on towards Lidney with him; which they declined doing, as it rained, and they were without their hats. Edwards proceeded on towards Lidney, and, in a piece of ground called East Marsh, he found the deceased, Miss M. Jones, lying upon her face. He immediately put his hand to her head, and perceived that the hood of her cloak was filled with blood; he then called to her by her name, and no answer being made, he supposed her to be dead; and it occurred to him at that time that she might be killed by the cattle in the grounds.

He then ran and called Mr. Corfe, an apothecary, who lives at Lidney, and brought him to the place where the body lay. Upon examination it was found that the young lady was quite dead, and that her death was occasioned by a very violent fracture of the scull; Mr. Corfe then discovered that her pockets had been taken away, and that her watch hung by her petticoats. Near her person he found a very large oaken stick. To avoid the dreadful shock, which this discovery must inevitably give to Mr. Jones's family, they carried the body to the Vicarage-house.

By this time the town of Lidney was alarmed with the report of what had happened, and Richard Tamplin the constable being called, he immediately searched the little public houses in Lidney, the usual resort of travellers and poor persons. It was remarked, that upon the alarm being spread all the people in the town were up, except the prisoner and his Father. This circumstance, together with what Mary Goodman declared of her having seen the prisoner at the fives place when the young ladies went up and returned, induced a suspicion of the prisoner having been concerned in the affair, and about five in the morning several persons went to the father's house. They there found one Ann Price, who is since dead. She was up, but the father of the prisoner, and the prisoner were in bed. The constable called up the father, who then came down to them, and soon afterwards called down his son, who came in a few minutes; when he got to the bottom of the stairs he passed very quickly by the persons who were standing there. They asked him where he was going? he answered to wash his face. He continued a quarter of an hour or near 20 minutes before he returned to them. Upon his going out of the house it was observed, that there was the appearance of blood upon his shoe, and upon the knee of his breeches, and being questioned how the blood came there, he answered, that his nose had lately bled.

Being asked whether his nose bled upon his shoe, he declared, that what they saw upon his shoe was not blood. They took it off however, and upon examining it found it was stained with blood. They then proceeded towards the place where the body was found, and in passing through a piece of ground called the Vicarage Patch, some of the people examined a stake hedge in that piece, in search for the bottom of the stake which had been found near the body, and which appeared to have been broken short off. One of the persons discovering a stump, pulled it up, and

and produced it, saying, that was the piece of the stake; and thereupon the prisoner said, *No, by G. that was not it.* The prisoner was then conducted to the Plume of Feathers inn in Lidney, where he was searched. One John Winter took out of his pocket a handkerchief marked H. G. and asking the prisoner whose it was, and how it came into his possession, he answered, that it was his sister's. He was then accused of being the murderer. He appeared to be staggered, and began to charge some other person as having been concerned with him in the perpetration of the fact. However, very soon afterwards he confessed the whole, and acknowledged that he only was the guilty person, and that no other whatsoever had taken any part in the affair. Being pressed to tell where the pockets were, he said they were concealed in a budget, in which he and his father were used to put their working tools. Upon search made there, they were found, together with some letters directed to Miss Mary Jones, and some to Miss Gough. These things being brought and produced to him, he was asked whether he had any thing else that belonged to the young ladies, he then produced a half guinea, five shillings in silver, two-pence in copper, and a knife with two blades. It being remarked that his waistcoat pocket appeared to be stuffed, upon search a white handkerchief with a red border, marked with the letters M. J. was found upon him. It will be proved to you that this was the property of the deceased. The next day the prisoner was carried before a Justice of the Peace, where he freely and voluntarily most fully and amply confessed the whole affair, disclosing the time, the manner, and every horrid circumstance attending it. This confession, gentlemen, I rather chuse to read than to state to you. [Here the Council read verbatim the confession afterwards produced in evidence.] Gentlemen, you will observe, that in the narrative of this dreadful transaction, there is a chasm, as to the immediate commission of the fact. This chasm cannot be supplied. Miss Gough, the only person present at that dreadful moment, except the prisoner himself, was so exceedingly alarmed by the attack, and so much stunned by the blows she received, that she was entirely deprived of her senses at that time, and has not now the smallest traces remaining in her memory of this frightful transaction; it would be therefore in vain to call her.

Gentlemen, I must take the liberty of giving you one caution: it is, that you entirely direct

your minds of whatever you have heard, or whatever you have read touching this affair, previous to the present tryal. You are to attend to, and decide upon it, as if you were 'till this moment totally ignorant of such an event. A further caution I must beg leave to give you: you are not to be influenced by what I have stated, or what I have observed, your verdict will be governed by the evidence only. But if every syllable, every tittle of what I have opened to you, should be most fully and minutely proved, the duty you owe to public justice, to your consciences, and your country, will oblige you to find the defendant guilty, and to give him up to that punishment which his crime requires from the hands of the law.

Council.

Call John Edwards.

J. Edwards sworn.

Q. You lived with Mr. Jones, of Nafs, in July last?

A. I did. I was his butler.

Q. Did you know Miss Mary Jones?

A. Very well. She was his daughter.

Q. Now recollect, and give an account of her being missing, and at what time, and what circumstances attended it.

A. On the 18th of July last, after tea, I was in the garden picking flowers, when Miss Mary Jones, her sister, and Miss Gough, walked by me to a place called the Clift. I saw no more of them 'till the evening. Miss Jones was at home at supper, but Miss Mary Jones and Miss Gough were not there. Between nine and ten Miss Jones sent me out of the parlour to see if the men were gone to bed. I went out and returned again and told her they were all gone to bed. She then asked me if the dairy maid and kitchen maid were gone to bed. I told her they were not. She then sent me out, and bid me send them to go across the grounds towards Lidney, to meet the ladies. By the time supper was over the clock struck ten.

Q. What did you do then?

A. I stayed some little time after, and then went out and found it was very dark. About a quarter past ten I put on my great coat, and with a lanthorn went out to meet the ladies. When I came to a piece of ground called the —, the maids, who went out before me, saw the light, and halloo'd to me, and asked me whether Miss Molly Jones and Miss Gough were

were come home? I answered that they were not. I asked them if they had been any farther on the way towards Lidney? They said they had not; for they were afraid of going nearer the church. They stood at the stile under a tree 'till they saw the light I had with me, and then they holloo'd.

Q. What sort of a night was it?

A. Darkish, and rained.

Q. What happened next?

A. I went on towards Lidney.

Q. Did you go alone, or did the maids go with you?

A. No, the maids did not go with me; it rained, and they had not their hats. I went on through the next piece of ground called East Marsh, and was got pretty near three parts thro' it, when by the help of the light with me I saw something on the ground which looked white or whitish. I directly went up to it, and found Miss Jones lying on her face with her head very near the path way. I put my hand upon the back part of her head, and at that time did not know whether it was Miss Jones or Miss Gough; and upon turning her face round to see who it was, I observed the head of the capuchin was filled with blood. I then called, Miss Molly! There was no answer made, and I imagined she was quite dead. I then ran as fast as I could towards Lidney, and saw, as I thought, a light in the church-yard. I holloo'd to it, but was mistaken: It was a light from Lidney Iron-furnace.

Q. Was you nearer to Lidney than to Nafs?

A. By a Quarter of a mile, or thereabouts.

Q. Well, what did you upon this?

A. When I found myself disappointed about the light I ran through the church-yard, and about half way up the lane I met Joseph Tamplin the constable returning from Lidney to his house below the church. I asked him, if he had met Miss Gough? He answered, No he had not. I told him, I feared Miss Jones was killed by the beasts in the ground, and that Miss Gough was run to Lidney.

Q. I believe you then went for an Apothecary.

A. I did; I called up Mr. Corfe, and told him what had happened. He got up immediately, and came down with me to the place where the body lay; it was carried to the Vicarage-house near the church; and I returned home to the family, and got the Curate of the parish to return with me.

Q. Do you know any thing more that happened after this?

A. No; I can say nothing more about the affair; I am unacquainted with what followed after this.

Court to the Prisoner.

Would you ask this witness any questions?

A. No.

Mr. Thomas Corfe sworn.

Q. You are an Apothecary, and live at Lidney.

A. I am, Sir.

Q. Do you remember Mr. Edwards, Mr. Jones's Butler, coming to you in July last, and what passed on that occasion?

A. I remember Edwards, Mr. Jones's butler, coming to me on Thursday the 18th day of July; I think it was rather after eleven at night. He desired me to come with him directly into the East Marsh, where he said he had found Miss Mary Jones killed by the cattle, as he believed.

Q. Did you go with him?

A. I did.

Q. How far is the East Marsh from your house?

A. About a quarter of a mile. When we came into the Marsh I saw the body lying on the ground.

Q. What body?

A. The body of Miss Jones. The head lay towards Nafs. Upon examining it, I found a very large fracture in the back part of the head.

Q. Could you form a judgement how or by what means that fracture was occasioned?

A. By a stick; I could swear it was occasioned by a stick. After examining the body, I picked up this stick. [Here he produces a very large oaken stake.]

Q. Was it light enough for you to see the stick on the ground?

A. I kicked my foot against something hard, and then called for the lanthorn which Edwards had with him. He brought it directly, and I found this stick.

Q. What observations did you make upon the stick?

A. I observed blood upon this part of the stick; it was fresh. I made no other observation.

Q. Do you apprehend that the fracture which you observed upon Miss Jones's head was the cause of her death.

A. It

A. It certainly was. It was a very large fracture.

[Mr. Corfe produced at the same time the stump of a stake which had been pulled out of the ground, and upon comparing it with the piece found near Miss Jones, the broken parts of each tallied.]

Question from the Court.

Prisoner, would you ask this witness any questions?

A. No.

Mary Goodman sworn.

Q. Where do you live?

A. At Lidney.

Q. Did you know Miss Mary Jones?

A. Very well Sir. I knew Miss Molly Jones.

Q. Do you remember seeing her at Lidney, on Thursday the 18th of July last?

A. I do.

Q. At what time of the day?

A. About eight in the evening, or near it.

Q. Who was with her?

A. Miss Gough.

Q. Do you know William Morgan the prisoner at the bar?

A. Very well; he lives only a few doors below me, that is, his father does.

Q. Do you remember seeing him on the 18th of July at any time and where?

A. Yes, I saw him, he was sat upon the Cross, at Lidney, when the ladies went up the town.

Q. What ladies?

A. Miss Jones, and Miss Gough.

Q. When did you see him again?

A. I saw him when the ladies came down again, he looked after them, and followed them.

Q. How soon did the ladies return after their first passing by the cross?

A. I can't tell how soon; it was about 10 o'clock, I think, when I saw them the second time, they then were going homewards, and in about a quarter of an hour I saw the prisoner go past the window, and he went the same way the ladies had gone.

Q. Are you sure it was the prisoner?

A. Yes, I am, and observed he walked rather faster than usual.

Question from the Court.

Prisoner, would you ask this witness any questions?

A. No.

Ann Davin.

Q. Where do you live?

A. At Lidney.

Q. Do you remember any thing that happened on the 18th of July last?

A. Yes, I was standing at Mr. Smith's door on that day, leaning in the porch between nine and ten, I think, at night, but I was so frightened, I cannot remember exactly what the time was.

Q. Cannot you recollect the time?

A. Not exactly, I was so frightened when the alarm came up that Miss Molly Jones was killed; John Edwards brought it to us.

Q. Did you see William Morgan that night?

A. Yes, I did, he passed by me with his right hand in his bosom, as if going homewards.

Q. Was this before or after the alarm of Miss Jones being killed was brought up to you?

A. It was after the alarm spread.

Q. Are you very sure of that?

A. I am; it was after I had seen John Edwards.

Question from the Court.

Prisoner, would you ask this witness any questions?

A. No.

Richard Goodman.

Q. What are you, and where do you live?

A. A stone-cutter, and live at Lidney.

Q. You remember the 18th of July last?

A. Yes, I had been at Monmouth, at the election, and returned between eleven and twelve o'clock at night. When I came home Mr. Smith and I were alarmed about this murder. My wife said she saw William Morgan follow the ladies, and from what my wife said, we suspected William Morgan, and would have gone to take him up without calling a constable, but we were afraid to do it.

Q. Well, did you call the constable?

A. Yes, we called Joseph Tamplin; and then John Winter, George Winter, the constable, and myself, went to Richard Morgan's, William Morgan's father.

Q. What time was it when you got there?

A. Between four and five in the morning.

Q. Give an account of what passed upon your going there.

A. Why

A. Why first we met with one Ann Price, a woman who lived with Richard Morgan.

Q. She is dead since, is she not?

A. Yes, she is. We asked for Richard Morgan and William Morgan---she said they were in bed---we desired her to call them---she refused to call them---we said we would call them ourselves if she did not. Upon this the constable entered the house, and John Winter, George Winter, and myself, called Richard Morgan; Richard got up, and came down to us very soon.

Q. What did he say when he came down?

A. He said he was afraid there was some mischief done. We told him there was mischief enough, for that Miss Molly Jones was murdered. We then asked him where Will was.

Q. Who did you mean by Will?

A. The prisoner, William Morgan. He said he was in bed. We desired his father to call him up. He did call him.

Q. How soon did William Morgan come to you?

A. He did not come down for some time; it might be the space of ten or fifteen minutes before he came. He stepped by the constable and went into the kitchen.

Q. Now describe very particularly what he did.

A. He stepped by the constable who stood at the bottom of the stairs---he was asked where he was going; and he said to wash his hands and his face.

Q. How long did he continue before he returned to you?

A. He stayed a quarter of an hour.

Q. Where was the constable then?

A. He was near the foot of the stairs.

Q. What became of you when the prisoner returned?

A. When he came into the passage, we went out to the door. John Winter said to William Morgan, there is blood on the knees of thy breeches. From thence we went on towards Lidney Furnace.

Q. Who went on?

A. The prisoner, the constable, John Winter, George Winter, myself, and others. About half way, between his door, and the furnace, John Winter accused William Morgan of having blood upon his shoe.

Q. Did you observe blood upon his shoe?

A. I did.

Q. Describe in what manner it was marked.

A. From the toe it was spotted over the upper leather towards the heel, and upon the side of the heel. Upon the other part of the shoe there was the appearance of cow-dung, it looked as if it had been lately wiped, and then John Winter accused him again of having blood upon his knee.

Q. Did you observe any blood upon his knee?

A. Yes, I did.

Q. Describe in what manner the knee was bloody.

A. It was bloody round about three inches on the kneeling part.

Q. What did Winter say to him?

A. He said, Will, thee hast got blood upon thy knee. His father stepped back, and said it was ruddle off the piece of timber.

Q. What did the prisoner say?

A. He said it was.

Q. Had he at any time before accounted for the blood in any other manner?

A. Yes, he had; he said his nose had bled.

Q. In answer to whose question did he say that?

A. I cannot recollect.

Q. Were the company satisfied with the account he gave of the blood?

A. No, they were not. His shoe was more strictly examined, and the blood appeared very plain upon it.

Q. What did you do then?

A. We went forwards towards Lidney furnace, and put the prisoner under a guard there, whilst the constable, John Winter, George Winter, and I went to search the father's house.

Q. What remarks did you make there?

A. We examined the bed where we believed the prisoner lay, and found the sheets dawbed over with blood; but Ann Price told us that was occasioned by his brother's nose having bled.

Q. What happened after this?

A. We went to the place where the murder was committed, and took the prisoner along with us. When we came to the place, the prisoner seemed perplexed in his mind, and did not chuse to look upon the ground, but looked about him; and when we were coming home by East Marsh bridge, he made a search after the pockets.

Q. How happened that?

A. A little before we came to the bridge, he said he did not know but the pockets might be hid under the bridge.

Q. Had

Q. Had the pockets been missed?

A. They had.

Q. Had that circumstance been mentioned in the prisoner's hearing?

A. I don't recollect that it had.

Q. Where did you go then?

A. We came from the bridge towards Lidney church-yard; and coming through a patch called the Vicarage patch, there was a hay-rick in it, and it was bounded in with such sort of stakes as that which was found near Miss Jones's body. We went in search of the stump from which it might have been broke.

Q. Did any body find it?

A. I don't know who it was, but somebody pulled up a stump, and said they believed it would match the stake. The prisoner immediately swore, By G---, that was not it.

Q. What further particulars can you relate of this affair?

A. We then proceeded to Lidney, and John Winter again charged the prisoner with the blood. The prisoner said, John, you had best take care what you say;---it is not blood.

Q. Was this all that passed at the cross?

A. It was.

Q. What did you then do?

A. We then went to Lidney's Inn, the Plume of Feathers, the prisoner hesitated about going into the room with us, but we took him in. Mr. King then came in and assisted in searching the prisoner. When John Winter asked him what was in his pocket, the prisoner put his hand in his pocket, and said, he had nothing but strings in it. But lifting up his pocket-lid, John Winter discovered a handkerchief in his pocket, and caught hold of it by the corner, and pulled it out, and asked him whose it was,---he said it was his sister's. Mr. King then took it from John Winter, and went towards the window in the room, he did not discover any mark upon it. John Winter and I went with it to the window, and discovered a mark H. G. John Winter found out the letters upon it.

Q. Has the prisoner any sister that is a married woman?

A. No, he has not; only a very young sister.

Q. What was done upon this?

A. Mr. King took the handkerchief and went out of the room. John Winter and I desired the people to quit the room. John Winter, Mr. Smith the Exciseman, and myself being present, we told Will Morgan that we were sure it was he who had committed the

murder, and we desired him to confess if he had any accomplice. He cried very bad, and said he had. We desired him to tell who it was; he said he did not chuse to do that, but at last confessed it was a Welshman who was helping to make a hay rick for Mr. King. We then asked him to go along with us to take this man, and he consented; and we took him down to the furnace, and put him under a guard there, whilst Richard Tamplin the constable, and I went to take the Welshman.

Q. Did he mention the man's name?

A. No, he did not; I don't believe he knew the man's name.

Q. Did you take this man?

A. We did, and brought him to Will Morgan, and asked if that was the man? he said it was. We then brought that man and the prisoner to Lidney's inn.

Q. What further passed at that time?

A. I don't recollect what passed then 'till about three in the afternoon, when we again accused William Morgan, and asked him after Miss Jones's and Miss Gough's pockets. He cried very hard, and said, Father! father! this is all owing to you and your whores!---We pressed him very much to tell us where the pockets and money was. He cried very hard. John Winter said, Will, what have you in your waistcoat pocket; and then he took out a handkerchief.

Q. What did you find upon him?

A. A half guinea in gold, five shillings in silver, and two-pence in copper; a two-blade pen-knife, and a bit of ivory [*These things produced and sworn to be the same found upon the prisoner.*] John Winter then asked him if he had any thing else in his pockets. He said he had nothing but some strings. John Winter put his hand into his pocket, and pulled out this handkerchief, which is marked M. J.

Q. What further do you recollect to have passed at this time?

A. John Winter again accused him about the blood upon his knee, and asked how it came there. He said it was got in kneeling down to pull Miss Jones's pockets off. These are all the particulars I recollect.

Question from the Court.

Prisoner, would you ask this witness any questions?

A. No.

C.

Richard

Richard Tamplin sworn.

Q. You was the constable of Lidney in July last?

A. I was.

Q. Do you remember any alarm on the 18th of July last touching the death of Miss Mary Jones?

A. I do very well. We searched three houses upon it. William Smith, Richard Goodman, John Winter, and George Winter, went with us. The people in the town were all up; but we missed Richard Morgan and William Morgan, and we had a suspicion of them.

Q. What did you do in consequence of your suspicion?

A. We consulted together about searching their house.

Q. Did you search the house?

A. We did.

Q. Who did you see or find there?

A. We found Ann Price there, a woman who kept the prisoner's house; I asked her if Richard Morgan was within? she said he was; I went to the foot of the stairs, and called Richard Morgan; he very readily came down in his shirt, and said I doubt there's mischief done.

Q. What answer did you make to this?

A. I told him there was mischief enough done; and desired him to call his son, and he went to call him.

Q. How soon did his son come?

A. He came down in about ten or fifteen minutes.

Q. Was he dressed when he came down?

A. He was; I was at the foot of the stairs when he came down. There was no light but from the door. The prisoner pushed by me, and went into another room. I asked him where he was going? he said, to wash his face. He staid out ten minutes or better, perhaps fifteen, before he came back to us.

Q. What did he do when he came back?

A. He stood by me and wiped his hands and face; we then came out, and he came along with us; we went down 50 or 60 yards, and then the blood was found upon his breeches. I was not the first that observed it.

Q. Do you know who was?

A. I believe John Winter was.

Q. What did John Winter say to him?

A. John Winter went to him, and asked him where he had the blood.

Q. What answer did he make?

A. I did not hear his answer. I then asked him myself, where he had the blood? His father readily said, it was the stains from the timber.

Q. Was this after he said his nose bled?

A. It was. After his father had said it was the stain of the timber, I asked if the timber had marked the quarter of his shoe? He made me no answer, but pulled off his shoe directly.

Q. Did you bid him pull off his shoe?

A. No; but John Winter did. I had the shoe in my hand, and I marked the blood upon it. I told him of it, and he made me no answer.

Q. Did you take particular notice of the blood?

A. I did; I tried it with my thumb, and it appeared fresh. The shoes appeared to be dampish, and seemed as if they had been washed.

Q. What happened after this?

A. We went to the place where Miss Jones's body was found. John Winter and the prisoner had had some conversation---I don't know what it was. The prisoner then pulled off his coat and waistcoat to shew there was no blood upon it.

Q. What further do you know of the affair?

A. We returned to Lidney's inn, and went into a room. There I saw John Winter pull one of the handkerchiefs out of the prisoner William Morgan's pocket.

Q. Which of the handkerchiefs?

A. That marked white and red with the letters H. G. upon it.

Q. Was he asked any questions about it? and what did he say?

A. He said it was his sister's.

Q. I believe he has no sister married.

A. He has not any married sister, his sister is very young.

Q. Did you hear him say any thing more of this affair?

A. He was then charged with the murder, and when the handkerchief was pulled out of his pocket we went to see the mark, and then I heard him declare he had done the fact.

Q. Did you hear what questions were asked him before he confessed the fact?

A. I did not particularly hear the questions, but I very well remember the answer, and I heard him declare to James Keyse, that the ladies's pockets where at his father's.

Q. Where there?

A. He told him they were at the top of the stairs

stairs, in a room there under the tiles; he said he put them there.

Q. Did you go with him to his father's house to search further?

A. I did. We went up stairs, and I saw him pull out the pockets at the top of the stairs.

Q. Did you see any money taken from or produced by the prisoner?

A. I did; I saw the money produced.

Q. Did you observe any thing else taken from the prisoner?

A. I saw John Winter take something out of his pocket; it was a handkerchief. This I think is the handkerchief (*pointing to one on the table.*) It was marked M. J. I told him again about the blood upon his knees, but he did not give any account of it.

Q. This is the substance of what you know?

A. It is.

Question from the Court to the prisoner.

Would you ask this witness any questions?

Answer from the prisoner.

No.

James Keyse sworn.

Q. Was you at Lidney's Inn when William Morgan the prisoner was in custody?

A. I was, and remember him there very well.

Q. Do you remember his being searched, and any thing and what taken from him?

A. I did. I saw the handkerchiefs taken out of his pockets. We asked him to tell us where the pockets were hid. He told us they were in his father's room up stairs.

Q. Did you go there?

A. I did; John Winter, George Winter, and the constable Tamplin, went with us. I went up to the top of the stairs, and groped out the pockets. It was a dark place. I found them close under the tile.

Q. How came you to look there?

A. He had said before they were hid there.

[*He produces them.*]

Q. Are those the pockets you found under the tiles in Richard Morgan's house.

A. They are.

Q. What did you take out of them?

A. I did not take any thing out of them. Henry King took the things out of the pockets. There is a small pocket in one of them, some of the things were in that small pocket. There were letters in both the pockets.

Q. Where are those letters?

A. King has got them; he is very ill.

The Court.

Those letters are not here; no notice can be taken of them.

Q. Did you say any thing about the blood upon his shoe or his knees?

A. No, I did not; I heard him say his nose had bled; and then after that, his father said, it was rattle off the timber, and the prisoner said, he believed it was.

Question from the Court.

Prisoner, would you ask this witness any questions?

A. No.

John Winter sworn.

Q. What do you know of this unhappy affair?

A. I was called up between three and four o'clock in the morning after the 18th of July.

Q. Who called you up?

A. Richard Goodman and Smith. We and my brother George went and searched the lodging houses, and found only an old man there. We then went to the vicarage, and from thence we went to the house of Richard Morgan, the prisoner's father. Richard Tamplin, Rich. Goodman and I went in. We saw Ann Price, we asked her if Richard Morgan was at home? She said he was, but that he was in bed; we called him up. When he came down we asked for Will Morgan, his son, ---he told us he was in bed, and said, he feared mischief had been done.---We said, mischief enough had been done.---We then desired Will Morgan might come down.

Q. Was Richard Morgan dressed when he came down?

A. He was. He came down first; and Will Morgan came in about ten or fifteen minutes after.

Q. Did William Morgan come down dressed?

A. He was dressed, but was tying his stockings up. As he went out of the house, and

was

was tying up his stockings, I observed the blood upon his knee, and mentioned it to Richard Goodman, and afterwards to the prisoner.

Q. Where did you then go?

A. From thence we went towards the furnace, and about one hundred yards from the furnace I took the prisoner by the shoulder, and asked him how the blood came upon his knee? and he said his nose bled. I then saw blood upon his shoe. He then pulled off his shoe, and said there was no blood upon it. I looked at it, and saw some blood upon the hind part of it. It seemed fresh, but looked as if it had been wiped.

Q. Was you with the prisoner and the rest of the people at the Plume of Feathers inn?

A. I was; I bid the prisoner shew us what he had in his pockets. He turned the pockets of his breeches out, and had nothing in them—he then turned them in. I asked him if he had any thing in his waistcoat pockets. He said he had nothing but some strings. As he was fumbling for the strings, I discovered a red and white handkerchief, and pulled it out;—it was marked H. G.

Q. Is that it? [*One of the handkerchiefs shewn to him.*]

A. It is.

Q. Have you had it ever since?

A. No; Henry King had it at the time---I had it from him---he is very ill, and cannot come here, but it is the same.

Q. What did the prisoner say about it?

A. He said it was his sister's.

Q. Did you make any further search?

A. We did. I searched his coat pocket. Mr. King took one knife from him and I another. I then asked him where the money was he had taken from Miss Jones? he fell a crying, and at last pulled out half a guinea, five shillings, and two-pence in copper. I asked him if he had any thing more? he said he had not. But I observed something and pulled it out; it was a white handkerchief with a red border, marked with the letters M. J.

Q. Is that the handkerchief?

A. Yes, it is.

Q. Do you remember any thing else taken from him?

A. I remember the smelling bottle; he took that out himself.

Q. Do you remember what he said about any other person being concerned with him?

A. I remember his saying something about a person being concerned with him, but do not recollect particularly what it was.

Q. Repeat what he said to you about the blood.

A. At Lidney's Inn, I asked about the blood, and he said he got it upon his breeches knees, by kneeling down to pull Miss Mary Jones's pocket off.

Q. You brought him to gaol, I believe?

A. I did, I came with him to gaol, he was committed on the Friday, and we brought him to gaol on the Saturday.

Question from the Court.

Prisoner, would you ask this witness any questions?

A. No.

Ann Freeman sworn.

Q. You was a servant to Miss Mary Jones in July last?

A. I was, I lived in the family then.

Q. Look at that handkerchief, have you ever seen that handkerchief before?

A. I have.

Q. Do you remember it perfectly?

A. I do; it was my late Mistress's, Miss Molly Jones; I was in the house when it was bought. I made two others which were off the same piece---I hemmed them and marked them, but not this. I don't know who marked this;---But I can swear to this,---it was bought at the same time, from the same man, and the pattern is the same.

Q. Do you know that smelling-bottle? [*It shewn the smelling-bottle.*]

A. Yes, very well.

Q. When have you seen it before?

A. Miss Molly Jones had it; it was her's; I have seen it often in her possession.

Question from the Court.

Prisoner, would you ask this witness any questions?

A. No.

Charles Barrow, Esq; sworn.

Q. The prisoner was brought before you for examination?

A. He was; I went down to Lidney on purpose to examine into the affair.

Q. Please to look at the confession.---Did the prisoner make it before you voluntarily and freely?

A. He

A. He did.

Q. Without persuasions and promises, and without any threats?

A. He made it voluntarily, and was not induced to it by any promise, nor was he in any degree intimidated.

The Confession read, as follows.

✓ *Glocestershire to wit,*

The voluntary examination of William Morgan, of the parish of Lidney, in the said county, Sawyer, taken this 19th day of July, 1771, before me one of his Majesty's Justices of the Peace of the said county.

This examinant saith, that last night, about half an hour after nine o'clock, this examinant saw Miss Mary Jones and another young lady, who he is since informed to be Miss Harriet Gough, pass by him on their return from the town of Lidney, to Mr. Jones's house at Nafs; that he then took a resolution of following and robbing them, but apprehending that he might be known by Miss Jones, he got a stake and passed by Miss Jones, who wished him, this examinant, a good night; that he then went forwards near 200 yards, and returned back again till he was behind Miss Jones, and then struck her two blows on the head, the first of which knocked her down, and the second he struck when she was down; that he then struck Miss Gough on the head and knocked her down, and then struck her several blows, and in the struggle in his attempting to take off her pockets she fell into a ditch that was near; that he then took off both the pockets of both of them. In one of the pockets of each of them there was a handkerchief and the several things which this examinant delivered to one Richard Goodman, and which Henry King and John Winter found upon this examinant. And this examinant saith that he informed one Joseph Keyse where he had put the pockets which was in a budget his father carried tools in, at the top of the stairs in his father's house, that when he committed the fact he

heard some person holloo, and then he returned immediately home, and went to bed.

The mark of

†

William Morgan

Taken before,
Charles Barrow.

Questions from the Judge to the Prisoner.

William Morgan, you hear what the several witnesses, who have been called, have said; what have you to say in your defence?

Prisoner.

I have not a great deal to say.

After some pause.

Q. What have you to say in your defence?

• *Answer from the Prisoner.*

All that I can say, my Lord, is, they can't prove it against me.

The Judge then summed up the evidence to the Jury, and after repeating it to them in the most accurate manner, his Lordship proceeded to make observations upon the nature and effect of it. He observed that there was no positive evidence of the fact, except what was to be found in the prisoner's confession; but that in no case whatsoever, was it necessary to produce positive proof of a crime from witnesses who saw it committed; that if the law required such evidence, guilt would almost constantly escape with impunity; that circumstantial evidence, to a certain degree, amounting to what the law calls a violent presumption, was sufficient, when it was of a nature satisfactory, and convincing to the Jury who tried the prisoner. To see whether the circumstances of this

D case

case amounted to that degree of proof which raises the violent presumption, his Lordship desired the Jury to recollect the several facts in the order of time in which they happened. His Lordship then enumerated them in a regular connected chain from the beginning to the end of the story, accompanying them with remarks which pointed out the force and effect of the most striking ones. His Lordship told them, that if a doubt remained upon the circumstances, they must in such case resort to the confession, which had been freely and voluntarily made. That confessions so taken were good evidence against the persons making them; no promises, no assurances of any advantage, to lull the prisoner into security on the one hand, nor any threats or menaces to terrify or intimidate him on the other, having been made use of; that the confession was full and ample; that if upon the whole they had any doubt, the regard ever to be paid to the life of a man would make them very cautious in pronouncing upon his guilt; but if there remained no doubt upon their minds, they were bound by their oaths, and in their consciences to exercise justice upon the prisoner, and to find him guilty.

The Jury turned round for a very few minutes only, and then found the prisoner *Guilty*.

Clerk of Arraignment.

William Morgan, you have been indicted for the murder of Mary Jones, upon that indictment you have been arraigned, and upon your arraignment

have pleaded not guilty; and for trial have put yourself upon God and your country, which country have found you guilty; what have you to say why sentence of death should not be passed upon you?

Proclamation.

All manner of persons are strictly charged and commanded to keep silence whilst sentence of death is passed upon the prisoner at the bar.

Then the Judge pronounced sentence in the following terms.

William Morgan,

YOU have been indicted for the crime of murder---You have pleaded Not Guilty; and, in support of your innocence, have appealed to God and your country---Your country, on the fullest evidence, and most mature deliberation, have found you guilty.

The crime of murder is of such a dreadful nature, that a mitigation of the punishment would be an offence against the laws of God himself, who hath expressly commanded that *who so sheddeth man's blood, by man shall his blood be shed*.—The person whom you have murdered, and the manner in which the horrid deed hath been committed, are such aggravations of the crime that (as observed by the Council for the prosecution) history hath not yet furnished

nished us, and I hope to God never will again, with a similar instance of such amazing cruelty, such savage barbarity.

It was no open or secret enemy, no sudden aggravating provocation, that could excite you to the commission of it; it was your friend and your neighbour, and who was almost at that very instant breathing out from her benevolent heart the kindest wishes for your safety and preservation. In short you have been that unheard-of ruffian, that hath murdered such youth and beauty, such innocence and virtue, as every other part of the human species would have flown to the protection of, and died to have preserved.

And what astonishment must seize the heart of every one that reflects, that the above relation contains but half the facts of your intended villainy. But that all-wise and all-seeing Providence, which, for reasons too hard for us to understand, hath permitted one to fall a victim to your cruelty, hath miraculously preserved the other, and hath furnished such surprizing circumstances to prove your guilt as must convince every body that as the crime of murder never ought to go unpunished, so it

never will be permitted to remain undiscovered.

The time, then, is now come when you must be cut off from the face of the earth.---No solemn religious ceremonies will be performed over your sad remains, as you have despised and violated every law, civil and religious.-----No mournful, friendly, pious tear, can be dropped on your grave, who are unworthy to have any. Your bones, instead of being deposited in that quiet and peaceful receptacle, must be preserved in order to be shewn as a dreadful spectacle of horror and detestation, to caution and deter the rest of mankind---This then must be the miserable state of your wretched body.--But you have an immortal soul that is above the reach of human judicature, which, in a state of innocence, may smile at the drawn dagger, and defy it's point; but, in a state of guilt and bloodshed, must shrink back on itself, and start and tremble at the approach of eternal misery!

Let then the salvation of that soul engage every moment of the short time you have left in this world. Endeavour to work out that salvation with fear and trembling. Most earnestly entreat that Almighty God,

who

who can spare when we deserve punishment, and in wrath thinketh upon mercy, that he would be graciously pleased to give you that peace which this world cannot give.----Implore that blessed Redeemer, with whom there is abundant mercy and plentiful redemption, to make intercession for you---Then, although your sins are as scarlet, they may be white as snow---tho' they be as crimson, they shall be as wool.

All that now remains for me to do, is to pronounce that sentence which the law inflicts on you.

You are to be taken from hence to the place from whence you came; and on Monday next you are to be carried to the place of execution, where you are to be hanged by the neck until you are dead, and your body is to be delivered to the Surgeons to be dissected; and the Lord have mercy on your soul.

Just before his execution he was very earnest and solicitous that a person who attended him should indite an admonitory farewell Letter to his father, which he might sign with his dying hand, of which the following is a copy.

HONOURED FATHER,

HAVING but a few hours to live, I am desirous to leave you these few lines, which will not reach you before I have received the fruit of my doings. They contain nothing more than a serious exhortation to consider your ways, and be wise unto salvation; and as they are enforced by the melancholy circumstances your dying son is in, I pray God you may give the more earnest heed. My unhappy situation constrains me to regret the want of a parental care for my morals; but I have nothing to upbraid you nor any other person with; a deceived heart and the deceitfulness of sin hath turned me aside. Watch and pray that you enter not into temptation, and seek for mercy at the hand of our offended Mediator against the time of need. Make the best use of my affliction to all my Intimates. The Lord be with you in life and me in death, is the dying prayer of

Honoured Father,

Your unhappy and justly afflicted son,

The Mark † of

WM. MORGAN.

March 16, 1772.



